

## SUBCHAPTER B—ACQUISITION PLANNING

### PART 2105—PUBLICIZING CONTRACT ACTIONS

AUTHORITY: 5 U.S.C. 8709; 40 U.S.C. 486(c); 48 CFR 1.301.

#### Subpart 2105.70—Applicability

##### 2105.7001 Applicability.

FAR part 5 has no practical application to the FEGLI Program because the requirements for eligible contractors (*i.e.*, qualified life insurance companies) are stated in 5 U.S.C. 8709.

[70 FR 41150, July 18, 2005]

### PART 2106—COMPETITION REQUIREMENTS

AUTHORITY: 5 U.S.C. 8709; 40 U.S.C. 486(c); 48 CFR 1.301.

#### Subpart 2106.70—Applicability

##### 2106.7001 Applicability.

FAR part 6 has no practical application to the FEGLI Program because 5 U.S.C. chapter 87 exempts the FEGLI Program from competitive bidding.

[70 FR 41150, July 18, 2005]

### PART 2109—CONTRACTOR QUALIFICATIONS

#### Subpart 2109.4—Debarment, Suspension, and Ineligibility

Sec.

2109.408 Certification regarding debarment, suspension, proposed debarment, and other responsibility matters.

2109.409 Certification and contract clause.

#### Subpart 2109.70—Minimum Standards for FEGLI Program Contractors

2109.7001 Minimum standards for FEGLI Program contractors.

AUTHORITY: 5 U.S.C. 8716; 40 U.S.C. 486(c); 48 CFR 1.301.

SOURCE: 58 FR 40374, July 28, 1993, unless otherwise noted.

#### Subpart 2109.4—Debarment, Suspension, and Ineligibility

##### 2109.408 Certification regarding debarment, suspension, proposed debarment and other responsibility matters.

FAR subpart 9.4 is implemented by changing the FAR offeror's certification at FAR 52.209-5 (which is part of a solicitation) to a pre-contract certificate and a contract clause. These provisions reflect the FEGLI Program's statutory exemption from competitive bidding (5 U.S.C. 8709), which obviates the issuance of solicitations.

##### 2109.409 Certification and contract clause.

(a) The contracting officer may require the precontract certificate in 2152.209-70 to be filed prior to or during negotiations.

(b) The contracting officer shall insert the clause at 2152.209-71 in all FEGLI Program contracts.

#### Subpart 2109.70—Minimum Stand- ards for FEGLI Program Con- tractors

##### 2109.7001 Minimum standards for FEGLI Program contractors.

(a) The Contractor must meet the requirements of chapter 87 of title 5, United States Code; part 870 of title 5, Code of Federal Regulations; chapter 1 of title 48, Code of Federal Regulations; and the standards in this subpart. The Contractor must continue to meet these and the following statutory and regulatory requirements while under contract with OPM. Failure to meet these requirements and standards is cause for OPM's termination of the contract in accordance with part 2149 of this chapter.

(b) The contractor must actually be engaged in the life insurance business and must be licensed to transact life and accidental death and dismemberment insurance under the laws of all the States and the District of Columbia at the time of application.